

The opinion in support of the decision being
entered today is not binding precedent of the Board.

Paper 1

Filed by: Judge Sally C. Medley
Administrative Patent Judge
Mail Stop Interferences
P.O. Box 1450
Alexandria, VA 22313-1450
Tel: 703-308-9797
Fax: 703-305-0942

Filed
9 September 2003

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

JAMES K. TAILLON and FRANK R. REIDELBERGER, III
Junior Party,
(Patent 5,573,414),

v.

ALFRED THIARD-LAFORET and WILIBALD ZERLIK
Senior Party,
(Application 08/966,368).

Patent Interference No. 105,120

NOTICE DECLARING INTERFERENCE
(37 CFR § 1.611)

Part A. Declaration of interference

An interference is declared (35 U.S.C. § 135(a)) between the above-identified parties.

Details of the application(s), patent (if any), reissue application (if any), count(s) and claims designated as corresponding or as not corresponding to the count(s) appear in Parts E and F of this NOTICE DECLARING INTERFERENCE.

MAILED

SEP 9 - 2003

PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

Part B. Judge designated to handle the interference

Administrative Patent Judge Sally C. Medley has been designated to handle the interference. 37 CFR § 1.610(a).

Part C. Standing order

A Trial Section STANDING ORDER accompanies this NOTICE DECLARING INTERFERENCE. The STANDING ORDER applies to this interference.

Part D. Conference call to set dates

A telephone conference call to set dates for taking action in the interference is scheduled for **1:30 p.m. on 6 November 2003** (the call will be initiated from the PTO).

No later than **two business days** prior to the conference call, each party shall file and serve by facsimile a list of the preliminary motions the party intends to file. See STANDING ORDER ¶ 10.

A copy of a "sample" order setting times for taking action during the preliminary motion phase of the interference accompanies this NOTICE DECLARING INTERFERENCE.

Counsel are encouraged to discuss the order prior to the conference call with the view to coming to some agreement as to dates for taking action. A typical preliminary motion period lasts approximately nine (9) months. Counsel should be prepared to justify any request for a shorter or longer period.

The Board is conducting a pilot program in electronic filing of interference papers. The procedure is explained in University of New Mexico v. Fordham Univ., No. 104,761 (2001) (<<http://www.uspto.gov/web/offices/dcom/bpai/its/104761-021.pdf>>). Counsel should be prepared to discuss participation in the pilot program.

Part E. The parties involved in this interference are:

Junior Party

Named inventor: JAMES K. TAILLON, High Ridge, Missouri
FRANK R. REIDELBERGER, III, Chesterfield, Missouri

Patent: 5,573,414, granted 12 November 1996, based on
application 08/405,225 filed 16 March 1995

Title: Two piece electrical and fluidic connector and installation method
therefore

Assignee: Mechanical Dynamics and Analysis, LLC

Accorded Benefit: none

Attorneys: See last page

Address: See last page

Senior Party

Named Inventor: ALFRED THIARD-LAFORET, Midlothian, Virginia
WILIBALD ZERLIK, Birt Switzerland

Application: 08/966,368, filed 7 November 1997

Title: Method for repairing a connecting device for the electrical
connection and for supplying and carrying away the coolant to and
from the hollow conductor elements of the stator winding bars of
electrical machines

Assignee: Alstom

Accorded Benefit: 08/592,552, filed 26 January 1996,
08/415,362, filed 3 April 1995, and
DE 195 02 308, filed 26 January 1995

Attorneys: See last page

Address: See last page

Part F. Counts and claims of the parties

Count 1

Claim 24 of Application 08/966,368

or

Claim 1 of Patent No. 5,573,414

The claims of the parties are:

Taillon: 1-21

Thiard-Laforet: 1-44

The claims of the parties which correspond to Count 1 are:

Taillon: 1-21

Thiard-Laforet: 24-44

The claims of the parties which do not correspond to Count 1 are:

Taillon: None

Thiard-Laforet: 1-23

Part G. Heading to be used on papers

The following heading shall be used on papers filed in the interference. See
§ 18 of the STANDING ORDER.

_____ . _____
Paper ____¹

Filed on behalf of [name of party]

By: Name of lead counsel, Esq.
Name of backup counsel, Esq.
Street address
City, State, and Zip-Code
Tel:
Fax:

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES
(Administrative Patent Judge Sally C. Medley)

JAMES K. TAILLON and FRANK R. REIDELBERGER, III
Junior Party,
(Patent 5,573,414),

v.

ALFRED THIARD-LAFORET and WILIBALD ZERLIK
Senior Party,
(Application 08/966,368).

Patent Interference No. 105,120

TITLE OF PAPER

¹ Leave a blank line because the board assigns the paper number.

Part H. Summary of dates for taking action

Times for taking action are set out in the following sections of the STANDING ORDER:

- ¶ 4: date for identifying lead and backup counsel.
- ¶ 5: date for identifying any real party in interest.
- ¶ 6: date for requesting copies of involved and benefit applications and patents.
- ¶ 7: date for accomplishing certain discovery.
- ¶ 8: date for filing clean copy of claims.
- ¶ 9: date for filing clean copy of claims in cases with drawings or claims containing a means plus function limitation.
- ¶ 10: date for filing list of proposed preliminary motions.
- ¶ 13.10.2: dates for filing oppositions to Rule 635 miscellaneous motions and dates for filing replies to oppositions.
- ¶ 14.1.1: date for objecting to admissibility of evidence.
- ¶ 14.2: date for serving supplemental affidavits or evidence to respond to objection to admissibility of evidence.
- ¶ 14.3: dates when cross-examination can take place.
- ¶ 15.2: dates for taking action with respect to settlement discussions.

Part I. Order form for requesting file copies

FILE COPY REQUEST

Interference 105,120

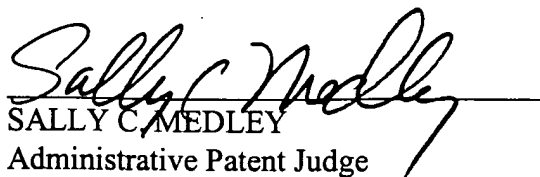
A copy of Part E of this NOTICE DECLARING INTERFERENCE should be attached to this FILE COPY REQUEST, with a circle by hand around the patents and applications for which a copy of a file wrapper is desired.

To facilitate processing of this FILE COPY REQUEST, the following information should be included:

1. Charge fees to USPTO Deposit Account No. _____
2. Complete address, including street, city, state, zip code and telephone number (do not list a Post Office box inasmuch as file copies are sent via commercial overnight courier).

Telephone, including area code: _____

Part J. Signature of administrative patent judge


SALLY C. MEDLEY
Administrative Patent Judge

Date: 9/9/03
Arlington, VA

Enc:

Copy of STANDING ORDER

Copy of order used for setting times for taking action in the preliminary motion phase of the interference (ORDERPM6)

Copy of order used for setting times for taking action in the testimony and briefing phases of the interference (ORDERTE6)

PTO Form 850

Copy U.S. Patents 5,573,414

Copy of application claims 08/966,368

Revised May 2003

cc (via Federal Express):

Attorney for Taillon:

Kevin P. Radigan, Esq.
HESLIN & ROTHERNBERG
5 Columbia Circle
Albany, N.Y. 12203

Tel: 518-452-5600

Attorney for Thiard-Laforet:

OBLON, SPIVAK, McCLELLAND, MAIER
& NEUSTADT
1940 Duke Street
Alexandria, VA 22314

Tel: 703-413-3000